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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,633	08/27/2003	Aiko Matsuda	32739M085	3901
441 7590 03/28/2008 SMITH, GAMBRELL & RUSSELL 1130 CONNECTICUT AVENUE, N.W., SUITE 1130 WASHINGTON, DC 20036				
EXAMINER QIN, YIXING				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/648,633

Applicant(s)

MATSUDA ET AL.

Examiner

Yixing Qin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
4a) Of the above claim(s) 4 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of claims 1-3 in the reply filed on 1/2/08 is acknowledged.

Response to Amendment

In response to applicant's amendment received 9/7/07, all requested changes have been entered.

Response to Arguments

Applicant's arguments, filed 9/7/07 with respect to the rejection(s) of all claims have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Nakajima (U.S. Patent No. 5,384,632). Previous references are still used to show various features in dependent claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

I. Claims 1 and 2 rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima (U.S. Patent No. 5,384,632)

Regarding claim 1, Nakajima discloses an image forming apparatus, comprising:
setting section to be used by an operator for setting, as a copying mode, a writing space mode in which a document image in a preset number are printed on a half of a single paper sheet, thus forming a writing space for a comment on the other half of the paper sheet; (column 1, lines 38-63 – the paper may be produced in a 2in1 mode – analogous to a writing space mode - in parallel so that half is for a notice, half is for taking notes)

a document top side setting section arranged to accept the operator's input designating a position of a top side of a document; (Fig. 3, one of the options is to select the paper size, A3, A4, B5, etc – this basically designates the position on the glass in which the paper is positioned. That is, the difference sized papers occupy a different position on the glass to be scanned and copied.)

a document direction judging section arranged to determine a direction of the document; (Fig. 3(a2) and column 9, lines 1-5 that there is A4 lateral and A4 longitudinal, which indicates the direction in which the documents can be read)

Nakajima does not explicitly disclose "a layout determination section arranged to determine a layout of the document image and the writing space on a paper sheet

based on the operator's input accepted by the document top side setting section and the direction of the document judged by the document direction judging, section; "

However, Nakajima discloses in column 8, lines 57-65 that in the 2in-1 mode two A4 pages can be printed on a single A3 page or reduced so that both fit on a A4 page. While it does not explicitly say this layout is dependent on the top side setting and the direction, one of ordinary skill would realize that different inputted sized paper and the direction in which they are inputted would cause an adjustment in the layout of the final document. That is, if two A4 pages were inputted longitudinally and printed on a A3 sheet, the final layout would be one that would make the outputted data look the best since two A4 pages side by side essentially makes up the size of a A3 page. Also note in Fig. 33, and column 45-59 that paper size and change timing of reading affects how CPU6 would process the print. Note that in Fig. 3, all the options are to set how a print sheet is to be outputted (i.e. affects its layout, such as size, single/double side, 2in1, etc)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have changed the layout according to the various inputted parameters such as direction, position, etc.

The motivation would have been to allow a user to customize how a page is to be outputted.

Therefore, it would have been obvious to improve Nakajima to obtain the invention as specified.

an image forming section for printing the document image in the preset number on a half of a single paper sheet, in accordance with the layout determined by the layout determination section, when the writing space mode has been set as a copying mode. (Fig. 7, image formation system 70. As discussed above Nakajima shows in column 1, lines 38-63 that a page is produced so that half is for a notice – i.e. image, half is for taking notes)

II. Claim 2 rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima (U.S. Patent No. 5,384,632) as applied to claim 1 above, and further in view of Brown (U.S. PG. Pub. No. 2004/0095587)

Regarding claim 2, Nakajima discloses a 2in1 printing mode.

It does not explicitly disclose the printing of separating lines

However, Brown discloses an image forming apparatus according to Claim 1, wherein the setting section includes means to be used by an operator for setting whether or not a page separating line is put on the paper sheet when the writing space mode has been set (Figs. 2-7, P[0056]) , and

the image forming section includes means for printing a page separating line at each boundary between adjacent document images printed on a paper sheet and at each boundary between a document image printed on the paper sheet and the writing space when the writing space mode has been set as a copying mode and it has been

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set to put a page separating line. (Figs. 2-7 shows various ways to divide the images using separating lines).

Nakajima and Brown are combinable because both are in the art of printing on portions of a single page.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used separation lines.

The motivation would have been to make the outputted document or page look more organized.

Therefore, it would have been obvious to combine Nakajima and Brown to obtain the invention as specified.

III. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima (U.S. Patent No. 5,384,632) in view of Brown (U.S. PG Pub. No. 2004/0095587) in view of Powerpoint (<http://office.microsoft.com/en-us/powerpoint/HA010348091033.aspx>)

Regarding claim 3, Nakajima and Brown discloses ways to print multiple portions on a sheet.

They do not explicitly disclose "the setting section includes means to be used by a user for setting whether or not rules are put in the writing space when the writing space mode has been set, and

the image forming section includes means for printing rules in the writing space formed on the paper sheet when the writing space mode has been set as a copying mode and it has been set to put rules in the writing space.”

However, Powerpoint discloses in Fig. 2 of the example layouts and the description of this figure, that there can be lines printed for users to add comments. This applies to both Powerpoint 2002 and 2003, which were already produced prior to the filing of this application.

All references are combinable because both allow users to print multiple portions on a single sheet.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have allowed the printing of lines on a page for user comments.

The motivation would have been to make it easier for users to write comments.

Therefore, it would have been obvious to combine all references to obtain the invention as specified.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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YQ

/David K Moore/

Supervisory Patent Examiner, Art Unit 2625